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PTO/SB/21 (09-04)

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## TRANSMITTAL FORM

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Total Number of Pages in This Submission

31

Application Number

10/806,275

Filing Date

03-23-2004

First Named Inventor

Eric LATULIPE

Art Unit

1724

Examiner Name

Attorney Docket Number

9-2993-512US

### ENCLOSURES (Check all that apply)

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form                             | <input type="checkbox"/> Drawing(s)                                       | <input type="checkbox"/> After Allowance Communication to TC                            |
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| <input type="checkbox"/> Amendment/Reply                                  | <input type="checkbox"/> Petition   | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final                                      | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declaration(s)                        | <input type="checkbox"/> Power of Attorney, Revocation                    | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request                        | <input type="checkbox"/> Change of Correspondence Address                 | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):         |
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| <input checked="" type="checkbox"/> Information Disclosure Statement      | <input type="checkbox"/> Request for Refund                               | - IDS statement and form (4 pages)  |
| <input type="checkbox"/> Certified Copy of Priority Document(s)           | <input type="checkbox"/> CD, Number of CD(s) _____                        | - Copy of International Search Report   |
| <input type="checkbox"/> Reply to Missing Parts/Incomplete Application    | <input type="checkbox"/> Landscape Table on CD                            | - Copy of non-US prior art references   |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 |   |   |

Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Ogilvy Renault LLP (PWC)

Signature

Printed name

Wayne H. YAN

Date

July 22, 2005

Reg. No.

44,485

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Eric LATULIPE and Richard SANTERRE  
Atty. Docket No.: 9-2993-512US  
Serial No.: 10/806,275  
Filed: March 23, 2004  
Art Unit: 1724  
Title: AIR/OIL SEPARATION SYSTEM AND METHOD

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.97**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on a PTO/SB/08A/B form is a listing of the documents known to applicant in order to comply with applicant's duty of disclosure pursuant to 37 C.F.R. § 1.56. Copies of the listed non-US documents are also being submitted herewith to comply with the provisions of 37 C.F.R. § 1.98.

The submission of any document which is not a statutory bar is not intended as an admission that such document constitutes prior art against the claims of the present application. Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie prior art reference against the claims of the present application.

Statement of Relevancy

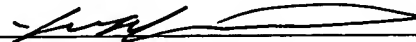
The listed document is being submitted either in compliance with 37 C.F.R. §1.97(b), within three (3) months of the filing date of a national application or of the date of entry of the national stage in an international application; or pursuant to 37 C.F.R. §1.97(e)(1), within three (3) months from the date of an office action or of a search report issued in a foreign counterpart application citing each of the documents contained in the present statement; or pursuant to 37 C.F.R. §1.97 (e)(2), within three (3) months from the first knowledge of each submitted document by any individual designated in C.F.R. §1.56 (c), when each such document was not cited in a communication from a foreign patent office in a counterpart foreign application.

It is advised that Applicant believes that there has been a clerical error in citing of one of the references (5,714,139) in the enclosed International Search Report. Having reviewed the corresponding Written Opinion and further information available therein, Applicant believes that the ISR citation should have been 4,714,139 to LORENZ et al., issued on December 22, 1987. Therefore, this reference is also listed on the attached Information Disclosure Statement form PTO/SB/08A pursuant to the duty of disclosure.

In the case of submissions under 37 C.F.R. §1.97(e)(1) and (2), the undersigned Attorney/Agent of Record hereby certifies that the enclosed references are hereby submitted within three months (1) from the issuance of the foreign action or search report, or (2) from said first knowledge, respectively.

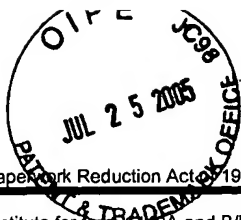
Respectfully submitted,

Date: July 22, 2005

  
Wayne H. YAN  
Registration No. 44,485  
Agent for the Applicant

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Encls. - Form PTO/SB/08A/B  
- Copy of International Search Report  
- copy of 3 references



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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/806,275
				Filing Date	03/23/2004
				First Named Inventor	Eric LATULIPE
				Art Unit	1724
Sheet	3	of	4	Examiner Name	
				Attorney Docket Number	9-2993-512US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		Number – Kind Code <sup>2</sup> (if known)			
	AA	US- 5,004,407	04-02-1991	HUTCHISON	
	AB	US- 5,714,139	02-03-1998	ELLER	
	AC	US- 4,049,401	09-20-1977	SMITH	
	AD	US- 4,714,139	12-22-1987	LORENZ et al.	
/					

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>4</sup>
		Country Code <sup>3</sup> – Number <sup>4</sup> – Kind Code <sup>5</sup> (if known)				
	AE	CA 2,425,999	05-10-2002	BROUILLET		
/						

Examiner Signature		Date Considered	
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\*EXAMINER; Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

DOCSOTT: 412454\1

